

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NEWMONT USA LIMITED and DAWN  
MINING CO.,

Plaintiff,

vs.

AMERICAN HOME ASSURANCE CO., et  
al.,

Defendants.

NO. CV-09-033-JLQ

**ORDER DIRECTING ENTRY OF  
JUDGMENT AND CLOSING FILE**

**IT IS HEREBY ORDERED:**

The Stipulated Motion to Dismiss (**ECF No. 1081**), whereby Plaintiffs, Newmont and Dawn, and Defendants OneBeacon America Insurance Company and Stonewall Insurance Company have agreed to the dismissal of all claims between these Defendants and Plaintiffs, is **GRANTED**.

The Stipulated Motion to Dismiss All Cross-Claims and Third Party Claims Among Defendants (**ECF No. 1082**) is **GRANTED**.

The Clerk of the court shall:

1) Enter this Order;

2) Enter judgment of dismissal with prejudice and without costs or attorneys fees to any party of a) the First Amended Complaint and the claims therein asserted against OneBeacon America Insurance Company and Stonewall Insurance Company (ECF No. 241); and b) judgment of dismissal with prejudice of all cross-claims and third-party claims asserted by all Defendants and Third-Party Defendants against any other party ;

3) As no claims remain in this action, **CLOSE THE FILE**.

Dated August 26, 2011.

s/ Justin L. Quackenbush  
JUSTIN L. QUACKENBUSH  
SENIOR UNITED STATES DISTRICT JUDGE